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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff,

v.

ABC Phones of North Carolina, Inc. d/b/a Victra

Defendant.

Case No. 3:24-cv-00444-MMD-CLB

**ORDER GRANTING
STIPULATED MOTION TO STAY
DISCOVERY**

(THIRD REQUEST)

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1 Per ECF No. 25, ECF No. 30, and ECF No. 35, Plaintiff U.S. Equal Employment Opportunity
2 Commission (“EEOC”) and Defendant ABC Phones of North Carolina, Inc. d/b/a Victra (“Victra”) by
3 and through their counsel (together, the “Parties”), submit this stipulation and respectfully request an
4 order to stay discovery for a period of 30 days, for a third time.

5 As reflected in ECF No. 25, ECF No. 30, and ECF No. 35, the Parties reached a tentative
6 agreement to resolve this matter on Tuesday, March 5, 2025, at the Early Neutral Evaluation before
7 Magistrate Judge Craig S. Denney.

8 The Parties appeared before Judge Craig S. Denney on May 9, 2025, for a status conference
9 regarding the March 5, 2025 Early Neutral Evaluation and the Parties’ progress with negotiating the
10 terms of an agreement. The Parties updated the Court and explained they need additional time to
11 continue those discussions. EEOC proposed another status conference in 30-days to provide time to
12 review the proposed agreement. Victra agreed with that request, and the Parties also agreed that a third
13 30-day stay of discovery would be appropriate to allow the Parties to focus on the negotiations.

14 The Parties will appear before Judge Craig S. Denney on June 13, 2025 to provide a further
15 update on their negotiations.

16 This is the Parties’ third stipulation to stay discovery.

17 Good cause exists to stay discovery. *Gibson v. MGM Resorts International*, No. 2:23-cv-
18 00140-MMD-DJA, 2023 WL 4455726, at *3 (D. Nev. July 11, 2023); *see also Little v. City of Seattle*,
19 863 F.2d 681, 685 (9th Cir. 1988) (District courts have wide discretion in controlling discovery, and
20 rulings to stay discover will not be overturned unless there is a clear abuse of discretion). A stay will
21 promote judicial economy and efficiency by allowing the Parties to continue their discussions and
22 finalize a resolution in good faith without incurring undue burden or expense.

23 All current discovery deadlines, including the deadline to submit an ESI Protocol (which was
24 March 21, 2025), EEOC’s deadline to respond to ABC Phones written discovery, and the deadlines
25 contained in the Second Discovery Plan and Proposed Scheduling Order (ECF No. 18) be suspended
26 during the pendency of the discovery stay. If the Parties are unable to agree upon additional terms to
27 resolve this matter, they will file a Third Discovery Plan and Proposed Scheduling Order for the Court’s
28 approval.

The Parties submit this stipulation in good faith and not for the purpose of delay or prejudice to any party.

Respectfully submitted,

Dated: May 13, 2025

BY: /s/ Marcia L. Mitchell
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Assistant Regional Attorney

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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE
HON. CARLA BALDWIN

DATED: May 13, 2025